

ZB# 07-32

Mary Gayton

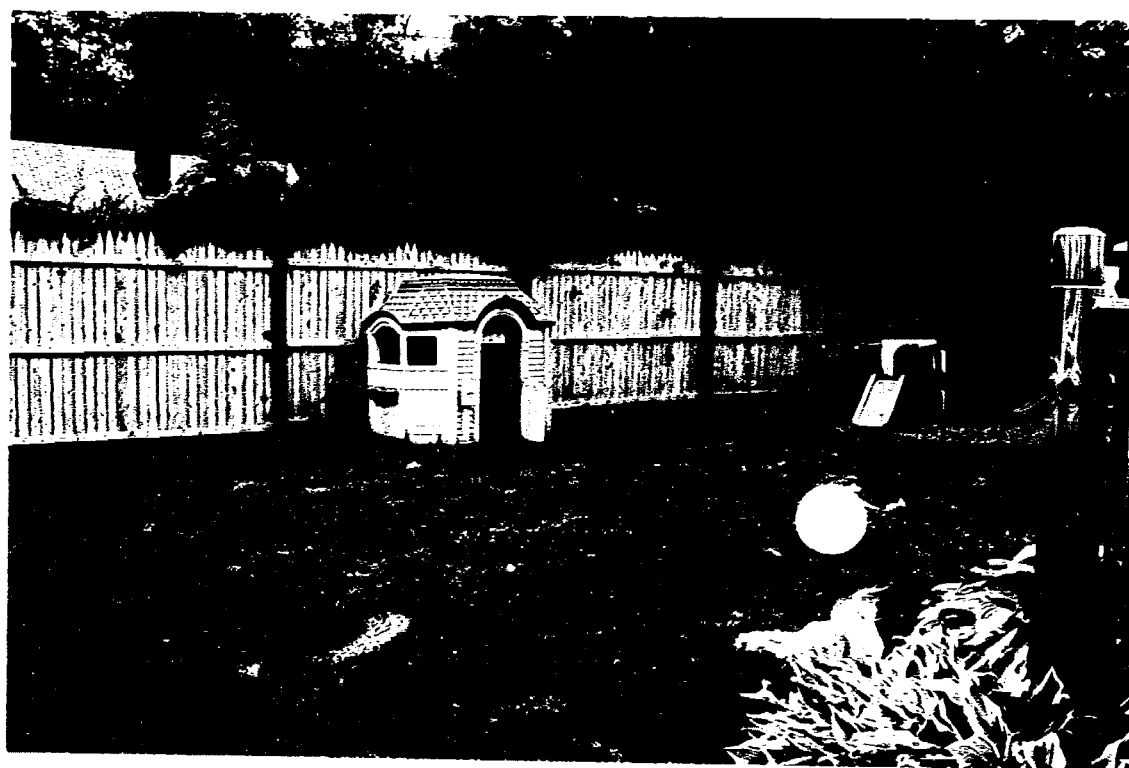
17-1-6

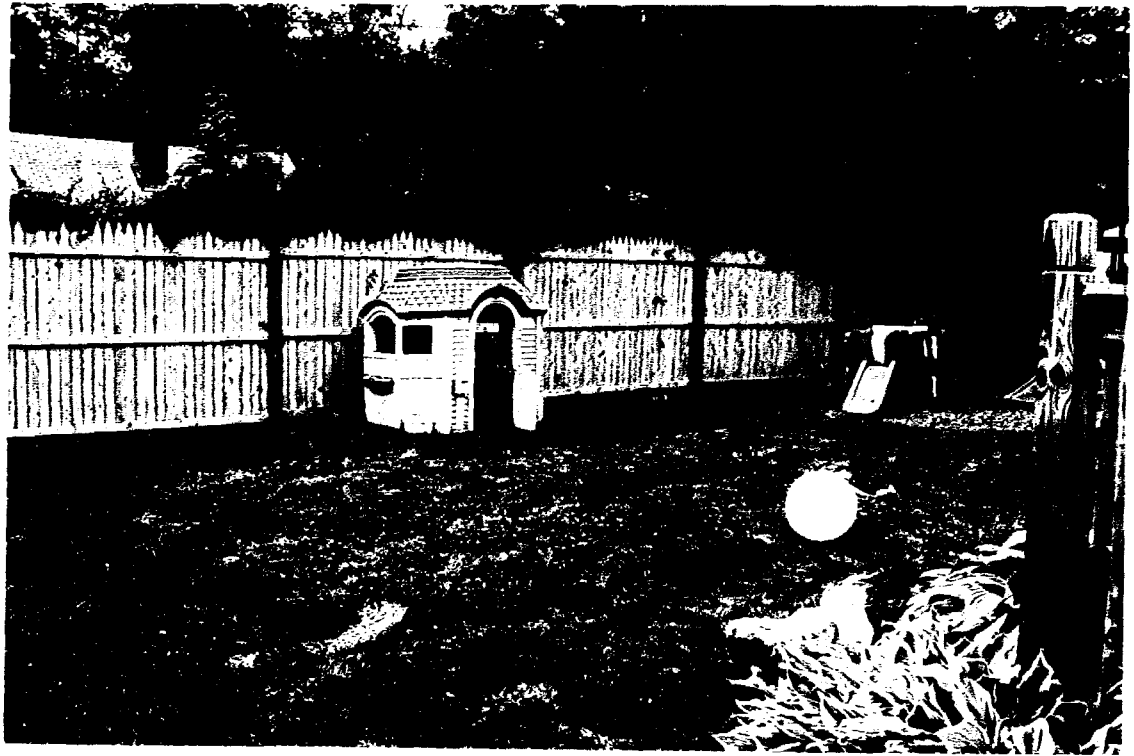
07-32 Mary Gayton (AREA)
114 Chestnut Drive (17-1-6)

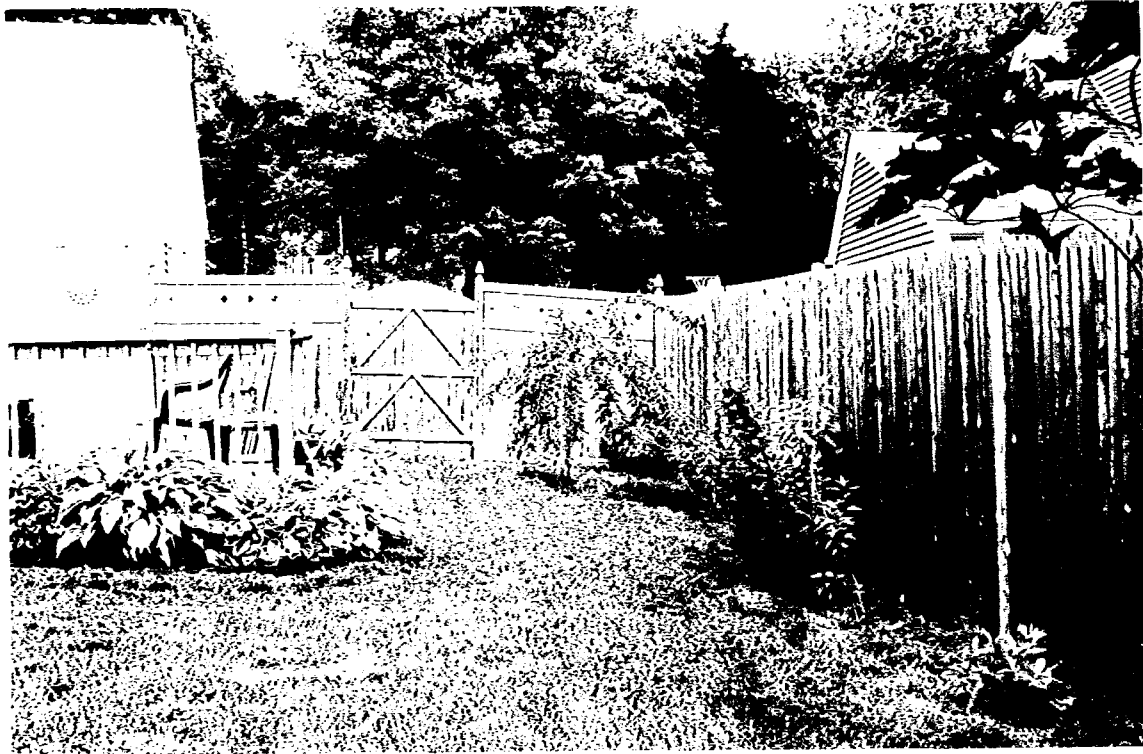
07-32 Gayton

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 7/9/07







NEW WINDSOR ZONING BOARD OF APPEALS
-----X

SBL: 17-1-6

In the Matter of the Application of

MARY GAYTON

**MEMORANDUM OF
DECISION GRANTING**

AREA VARIANCE

CASE #07-32
-----X

WHEREAS, MARY GAYTON, owner(s) of 114 Chestnut Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a request for 10 foot 6 inch side yard setback and 24 foot rear yard setback for existing attached 16 foot x 16 foot rear deck.

WHEREAS, a public hearing was held on July 9, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicants, Mr. & Mrs. Thomas Gayton appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a one family home located in a neighborhood of one family homes.
 - (b) In constructing the deck the Applicants did not remove any trees or substantial vegetation.
 - (c) The deck does not create the ponding or collection of water or divert the flow of water drainage.

- (d) The deck has been in place for approximately 3 years during which time there have been no complaints either formal or informal.
- (e) The deck is not visible from the street.
- (f) The deck is immediately adjacent to an exit portal of the building. Without a deck, a safety issue would exist because a person exiting the premises would probably fall and sustain serious physical injury.
- (g) The deck is similar in size and appearance to other decks in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

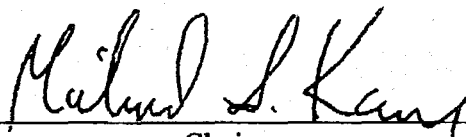
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for 10 foot 6 inch side yard setback and 24 foot rear yard setback for existing attached 16 foot x 16 foot rear deck as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: July 9, 2007


Chairman

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: May 29, 2007

**APPLICANT: Mary Edna Gayton
114 Chestnut Dr.
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 5/24/07

FOR : Existing attached deck.

LOCATED AT: 114 Chestnut Dr.

ZONE: R-4 Sec/Blk/ Lot: 17-1-6

DESCRIPTION OF EXISTING SITE: Existing one family house.

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing attached 16x16ft. rear deck does not meet minimum side or rear yard set-backs.**


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4 USE: Bulk Tables			
MIN LOT AREA:			
MIN LOT WIDTH:			
REQ'D FRONT YD:			
REQ'D SIDE YD: F-6	20'	9'6"	10'6"
REQ'D TOTAL SIDE TD:			
REQ'D REAR YD: G-6	50'	26'	24'
REQ'D FRONTAGE:			
MAX BLDG HT:			
FLOOR AREA RATIO:			
MIN LIVABLE AREA:			
DEV COVERAGE:			

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection time.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

MAY 24 2007

FOR OFFICE USE ONLY:
Building Permit #: 2007-395

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP A LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Mary Edna Gayton

Address 114 Chestnut Dr. New Windsor, NY 12553 Phone # (845) 561-5862

Mailing Address Same Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the West side of Chestnut Drive
and 240 feet from the intersection of Chestnut Dr + Pine Dr.
(N, S, E or W)
2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y N ✓
3. Tax Map Description: Section 17 Block 1 Lot 6
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy Home b. Intended use and occupancy Home
5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other
6. Is this a corner lot? No 16x16 existing deck
7. Dimensions of entire new construction. Front 16 Rear _____ Depth 16 Height 1 ft No. of stories 0
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$2000.00 Fee \$50
CH # 1923

PATD
PLANNING BOARD

Building Inspector: Michael L. Babcock

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW BRUNSWICK, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE CO., NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Bakosch
Asst. Inspectors: Frank Lial A. Louis Kryshar
New Windsor Town Hall
655 Union Avenue
New Windsor, New York 12553
(845) 663-4818
(845) 663-4886 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or roads, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and codes that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

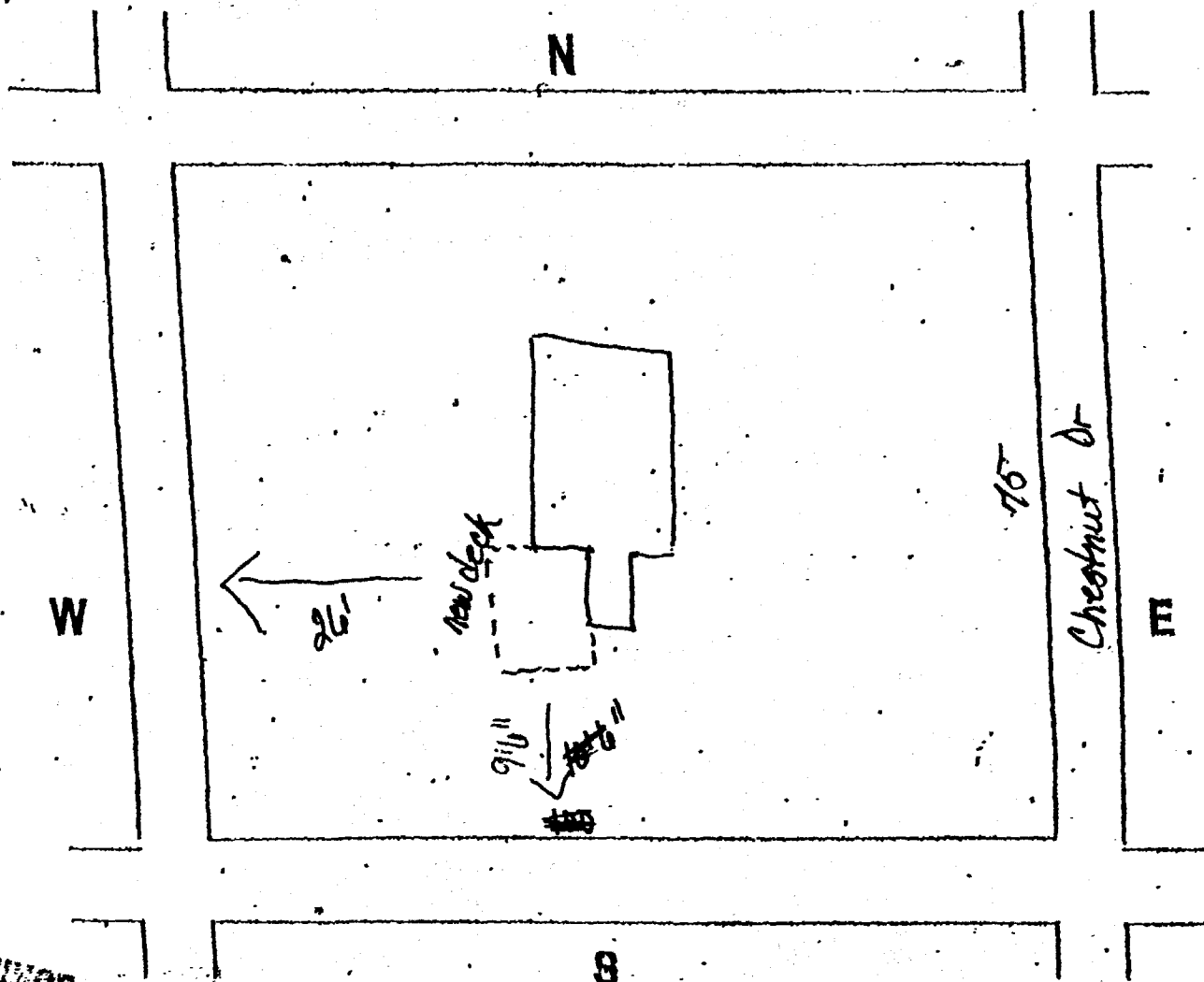
Mary Edna Hayton
(Signature of Applicant)
Mary Edna Hayton
(Owner's Signature)

(Address of Applicant)
114 Chestnut Dr. New Windsor, NY
(Owner's Address) *12553*

PLOT PLAN

NOTE:

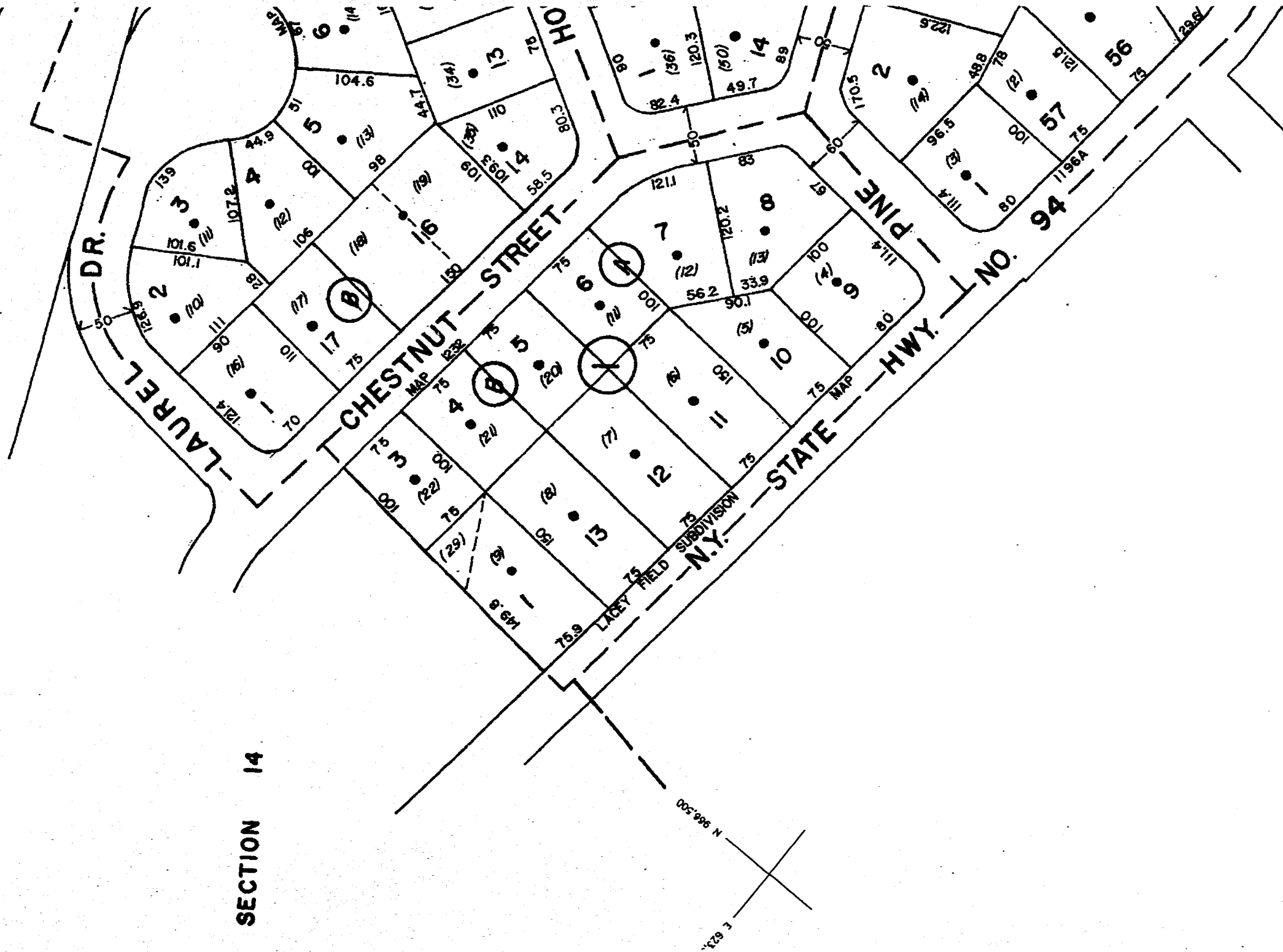
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



LOCAL BOARD

PLEASE ALLOW TEN TO TWENTY DAYS TO PROCESS
APPLICANT

SECTION 14



SECTION 16

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: JACK FINNEGAN, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: NOVEMBER 9, 2007
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 171.78 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #07-32

NAME & ADDRESS:

**MARY GAYTON
3 CRESTHAVE DRIVE
NEW WINDSOR, NY 12553**

THANK YOU,

MYRA

J.F.11/09/07



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #07-32 TYPE:AREA TELEPHONE: 561-5862

APPLICANT:
MARY GAYTON
114 Chestnut Drive
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK #1932
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #1931



<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$7.00 / PAGE	<u>ATTORNEY</u> <u>FEE</u>
-----------------------	--	---------------------------------	-------------------------------

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date:06-29-07 \$ 18.22

TOTAL: \$ 58.22 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 128.22

AMOUNT DUE: \$ _____

REFUND DUE: \$ 171.78

Cc:

J.F. 11/08/07

July 9, 2007

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MARY_GAYTON_(07-32)

MR. KANE: Request for 10 foot 6 inch side yard setback and 24 foot rear yard setback for existing attached 16 foot x 16 foot rear deck at 114 Chestnut Drive.

Mr. and Mrs. Tom Gayton appeared before the board for this proposal.

MR. KANE: Hi.

MRS. GAYTON: Mary Gayton, 114 Chestnut Drive.

MR. GAYTON: Tom Gayton, 114 Chestnut Drive, New Windsor. We're looking to get a variance for a deck that we put up, we put a 16 x 16 deck that's attached to our house.

MR. KANE: Cutting down any trees, substantial vegetation in the building of the deck?

MR. GAYTON: No.

MR. KANE: Creating any water hazards or runoffs?

MR. GAYTON: No.

MR. KANE: Is the deck similar in size and nature to other decks in your neighborhood?

MR. GAYTON: Yes.

MR. KANE: How long has the deck been up?

MR. GAYTON: About three years.

MR. KANE: Any complaints formally or informally about the deck?

MR. GAYTON: Never had one.

July 9, 2007

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MRS. GAYTON: You can't see the deck for the fence from the street.

MR. KANE: And it's safe to say without the deck there coming out that door would be a safety hazard?

MR. GAYTON: Yes.

MR. KANE: Any easements running through the area where the deck has been built?

MR. GAYTON: No.

MR. KANE: Further questions at this point?

MR. LUNDSTROM: On the plot plan you show a pool but there's an X through it?

MR. GAYTON: The pool was taken out.

MRS. GAYTON: The pool's no longer there.

MR. LUNDSTROM: Again, just for the record, the deck is currently there?

MR. GAYTON: Yes.

MR. LUNDSTROM: And you're applying for the variance now because?

MR. GAYTON: We're selling the house.

MR. LUNDSTROM: You need to get a building permit for that.

MR. GAYTON: Yes.

MR. KANE: You understand that if we pass it, you still have to pass all the requirements from the building

July 9, 2007

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department?

MR. GAYTON: Yes.

MR. KANE: At this point, I'll open it up to the public, ask if there's anybody in the audience for this particular hearing? Seeing as there's none, we'll close the public portion of the meeting and ask Myra how many mailings we had.

MS. MASON: On June 26, I mailed out 59 addressed envelopes and had no response.

MR. KANE: I have no further questions. Any questions from the board? I'll accept a motion.

MR. LUNDSTROM: I'll offer a motion that the application by Mary Gayton request for 10 foot 6 inch side yard setback and 24 foot rear yard setback for an existing attached 16 x 16 rear deck at 114 Chestnut Drive in an R-4 zone be approved by this board.

MR. TORPEY: I'll second that.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MARY_GAYTON_(07-32)

MS. GANN: Request for 10 ft. 6 inch side yard setback and 24 foot rear yard setback for existing attached 16 foot x 16 foot rear deck at 114 Chestnut Drive.

MRS. GAYTON: Mary Gayton, 114 Chestnut Drive.

MR. GAYTON: Thomas Gayton, 114 Chestnut Drive. We have an existing 16 x 16 deck and we're trying to close on a house and we need to get this to pass.

MS. GANN: How old is the deck?

MR. GAYTON: It's three years old.

MS. GANN: And you built the deck yourself?

MR. GAYTON: Yes.

MR. LUNDSTROM: Was the deck built with the benefit of a building permit?

MR. GAYTON: No, it was not march.

MRS. GAYTON: We're in the process of obtaining that.

MS. GANN: Does it go over any easements that you know of?

MR. GAYTON: No.

MS. GANN: Did you take down any substantial vegetation in the building of the deck?

MR. GAYTON: No.

MS. GANN: Did you create any drainage problems or water problems when you built it?

June 25, 2007

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MR. GAYTON: No.

MR. LUNDSTROM: I have a question, Madam Chair, it looks like from these pictures is there an exit from the house onto the deck?

MR. GAYTON: Yes, there is.

MR. LUNDSTROM: Is that exit door higher than the ground level or is it at the ground level?

MR. GAYTON: It's at the deck level.

MR. LUNDSTROM: How high is the deck?

MR. GAYTON: Three feet off the ground.

MR. LUNDSTROM: Would it be safe to say if the deck were not there it would be a health hazard or people walking out the door and falling to the ground?

MR. GAYTON: Yes.

MS. GANN: Any other questions from the board?

MS. LOCEY: Have you had any complaints from your neighbors?

MR. GAYTON: No.

MRS. GAYTON: Can't really see the deck cause there's a fence around it.

MS. GANN: I'll accept a motion.

MR. LUNDSTROM: Madam Chair, I will offer a motion that we schedule a public hearing on the application of Mary Gayton for a 10 foot 6 inch side yard setback and a 24 foot rear yard setback for existing attached 16 x 16 rear deck at 114 Chestnut Drive in an R-4 zone.

June 25, 2007

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MS. LOCEY: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MS. GANN	AYE



RESULTS OF Z.B.A. MEETING OF: July 9, 2007

PROJECT: Mary Hayton ZBA # 07-32
P.B.# _____



USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓
VARIANCE APPROVED: M) L S) I VOTE: A 5 N 0.

GANN A
LUNDSTROM A
LOCEY A
TORPEY A
KANE A

CARRIED: Y ✓ N _____

No Public Comment



THE SENTINEL

P.O. BOX 406
VAILS GATE, NY 12584

Invoice

Date	Invoice #
7/9/2007	611

Bill To

TOWN OF NEW WINDSOR
555 UNION AVE
NEW WINDSOR, NY 12553

P.O. No.	Terms	Project

Issue Date	Description	Rate	Amount
6/29/2007	LEGAL ADS: APPEAL NO. 07-32 GAYTON 1 AFFIDAVIT	14.22 4.00	14.22 4.00
		<div data-bbox="501 1282 816 1495" data-label="Image"><p>RECEIVED JUL 18 2007 By _____</p></div>	
Total			\$18.22

**PUBLIC HEARING
NOTICE
ZONING BOARD OF
APPEALS**

**TOWN OF NEW
WINDSOR**

PLEASE TAKE NOTICE
that the Zoning Board of
Appeals of the TOWN OF
NEW WINDSOR, New York,
will hold a Public Hearing on
the following Proposition:

Appeal No. (07-32)

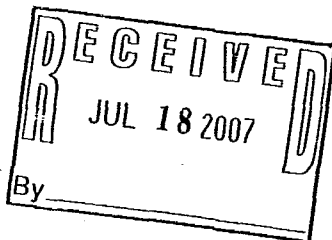
Request of MARY GAYTON

for a VARIANCE of the
Zoning Local Law to Permit:

Request for 10 ft. 6" Side
Yard Setback and; 24 ft. Rear
Yard Setback for existing
attached 16ft. X 16 ft. rear deck
at 114 Chestnut Drive in an R-4
Zone (17-1-6)

PUBLIC HEARING will
take place on JULY 9, 2007 at
the New Windsor Town Hall,
555 Union Avenue, New
Windsor, New York beginning
at 7:30 P.M.

Michael Kane, Chairman



State of New York

County of Orange, ss:

Kathleen O'Brien being duly sworn
disposes and says that she is
the Supervisor of Legal Dept. of the
E.W. Smith Publishing Company; Inc.,
Publisher of The Sentinel, a weekly
newspaper published and of
general circulation in the Town of New
Windsor, Town of Newburgh and City
of Newburgh and that the notice of which
the annexed is a true copy was published
in said newspaper, 1 time (s)
commencing on
the 29th day of June A.D., 2007
and ending on the 29th day of
June A.D. 2007.

Kathleen O'Brien

Subscribed and shown to before me
this 18th day of July, 2007.

Deborah Green

Notary Public of the State of New York
County of Orange.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
#4984065
Commission Expires July 15, 2011

My commission expires _____.

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

MARY GAYTON

AFFIDAVIT OF SERVICE BY MAIL

#07-32

X

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)


That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 26TH day of JUNE, 2007, I compared the 59 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

26th day of June, 2007


Notary Public

JENNIFER GALLAGHER
Notary Public, State of New York
No. 01GA6050024
Qualified in Orange County
Commission Expires 10/30/10

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (07-32)

Request of MARY GAYTON

for a VARIANCE of the Zoning Local Law to Permit:

Request for 10 ft. 6" Side Yard Setback and; 24 ft. Rear Yard Setback for existing attached 16ft. X 16 ft. rear deck at 114 Chestnut Drive in an R-4 Zone (17-1-6)

PUBLIC HEARING will take place on JULY 9, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

A handwritten signature in black ink, appearing to read "Michael S. Kane", is written over a horizontal line.

Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

June 26, 2007

Mary Gayton
114 Chestnut Dr.
New Windsor, NY 12553

Re: 17-1-6 ZBA#: 07-32 (59)

Dear Ms. Gayton:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00 minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/rah
Attachments

CC: Myra Mason, Zoning Board



16-1-8.1
JOAN & DONALD BOEHM
120 QUASSAICK AVE.
NEW WINDSOR, NY 12553

16-1-9
JOSEPH & LYNDA CHERNEK
130 QUASSAICK AVE.
NEW WINDSOR, NY 12553

9-1-78.232
EASTERN HARBOUR ASSOC.,
401 S. WATER ST.
NEW WINDSOR, NY 12553

14-4-4
PATRICK MAHAN, JR.
111 QUASSAICK AVE.
NEW WINDSOR, NY 12553

14-4-5.1
THADDEUS P. MALINOWSKI
101 CHESTNUT DR.
NEW WINDSOR, NY 12553

14-4-6
GEORGE & ANNA BARNETT
103 CHESTNUT DR.
NEW WINDSOR, NY 12553

14-4-7
NICHOLAS VALENTINE
281 BROADWAY
NEWBURGH, NY 12550

14-4-8
JOHN & MARY JANE KAKNIS
107 CHESTNUT DR.
NEW WINDSOR, NY 12553

14-4-9
JOHN F., O'NEILL &
J. H. & M. MENNERICH
109 CHESTNUT DR.
NEW WINDSOR, NY 12553

14-4-10
PASQUALE MACRI
101 LAUREL AVE.
NEW WINDSOR, NY 12553

14-5-1
NYS COMPTROLLER OFFICE
C/O COLIN CAMPBELL
5TH FLOOR, A. E. SMITH BLDG.
ALBANY, NY 12236

14-5-2
WILLIAM CAREY
C/O REV. P.A. CAREY
165 BENNETT AVE. APT. 6C
NEW YORK, NY 10040

14-5-3
GUY & ALANA GERVAIS
106 CHESTNUT DR.
NEW WINDSOR, NY 12553

14-5-5
RUTH FRAAS &
ELIZABETH FRAAS WHALEN
115 QUASSAICK AVE.
NEW WINDSOR, NY 12553

14-6-1
CALVARY CEMETERY
CHURCH OF ST. PATRICK
55 GRAND ST.
NEWBURGH, NY 12550

17-1-1
CLAYTON &
CAROLANN VENTURA
117 QUASSAICK AVE.
NEW WINDSOR, NY 12553

17-1-3
KATHLEEN BARRY
108 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-1-4
WALTER & ARLENE RYAN
110 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-1-5
SUSAN D'EGIDIO
112 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-1-7
DARREN FOGARTY
116 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-1-8
GEORGANN BETTERS
103 PINE DR.
NEW WINDSOR, NY 12553

17-1-9
FRANCIS TERSILLO
127 QUASSAICK AVE.
NEW WINDSOR, NY 12553

17-1-10
WILLIAM & BRIAN HOTALING
125 QUASSAICK AVE.
NEW WINDSOR, NY 12553

17-1-11
CAROL SARCKA
123 QUASSAICK AVE.
NEW WINDSOR, NY 12553

17-1-12
ANNE NELSON
C/O KAREN CULVER
8 ORCHARD ST.
NEWBURGH, NY 12550

17-1-13
JACQUELINE BIERBOOM
119 QUASSAICK AVE.
NEW WINDSOR, NY 12553

17-2-1
VINCENT & PENNY SORBELLO
111 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-2-2
SUSAN D'EGIDIO
112 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-2-3
MARK &
CARLEN MACCHIAROLO
104 LAUREL DR.
NEW WINDSOR, NY 12553

17-2-4
KATHERINE ARRA
P.O. BOX 891
VAILS GATE, NY 12584



17-2-5
MARY ELIZABETH WALSH
108 LAUREL DR.
NEW WINDSOR, NY 12553

17-2-17
CARMINE &
DOREEN D'AMBROSIO
115 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-3-13
EILEEN CALLAHAN
105 PINE DR.
NEW WINDSOR, NY 12553

17-2-6
WILMA HARRIS
110 LAUREL DR.
NEW WINDSOR, NY 12553

17-3-1
ADELAIDE & JOHN DAIUTOLO
102 HOLLY DR.
NEW WINDSOR, NY 12553

17-3-14
MICHELE GRINDER
125 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-2-7
ANGELA PREVITI
112 LAURAL DR.
NEW WINDSOR, NY 12553

17-3-2
ROBERT MARSIGLIO
104 HOLLY DR.
NEW WINDSOR, NY 12553

17-4-1
RONALD HARSCH
100 PINE DR.
NEW WINDSOR, NY 12553

17-2-9
RICHARD &
BERNADETTE BALLEZZA
109 HOLLY DR.
NEW WINDSOR, NY 12553

17-3-3
MAY KERWAN
106 HOLLY DR.
NEW WINDSOR, NY 12553

17-4-2
DENISE VISBAL
102 PINE DR.
NEW WINDSOR, NY 12553

17-2-10
THOMAS SAYLES &
SUSAN PACIONE
107 HOLLY DR.
NEW WINDSOR, NY 12553

17-3-4
KENT STIMSON &
LYNNE HARRIS
108 HOLLY DR.
NEW WINDSOR, NY 12553

17-4-3
IRMA HERMAN
104 PINE DR.
NEW WINDSOR, NY 12553

17-2-11
MICHAEL POLICANO
105 HOLLY DR.
NEW WINDSOR, NY 12553

17-3-5
JOHN & JEAN STAMANT
110 HOLLY DR.
NEW WINDSOR, NY 12553

17-4-4
WILLIAM, JR. &
CHRISTINE RALL
106 PINE DR.
NEW WINDSOR, NY 12553

17-2-12
JACK MAXFIELD &
JANA MURRELL
103 HOLLY DR.
NEW WINDSOR, NY 12553

17-3-6
MARK &
MARGARET CONNOLLY
112 HOLLY DR.
NEW WINDSOR, NY 12553

17-4-5
MARK & LYNN O'KEEFE
108 PINE DR.
NEW WINDSOR, NY 12553

17-2-13
JOHN & MADGE SCHITZLER
101 HOLLY DR.
NEW WINDSOR, NY 12553

17-3-10
ELEANOR LINCOLN
111 PINE DR.
NEW WINDSOR, NY 12553

17-4-56
KATHRYN KRIESER
133 QUASSAICK AVE.
NEW WINDSOR, NY 12553

17-2-14
JAMES SECRETO &
STEPHANIE HERMAN
121 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-3-11
SALLYANN SILK
109 PINE DR.
NEW WINDSOR, NY 12553

17-4-57
PATRICK &
PENELOPE FOGARTY
131 QUASSAICK AVE.
NEW WINDSOR, NY 12553

17-2-16
ELIZABETH HORNSBERGER
117 CHESTNUT DR.
NEW WINDSOR, NY 12553

17-3-12
KEVIN HAGGERTY &
NANCY RICCI
107 PINE DR.
NEW WINDSOR, NY 12553



RESULTS OF Z.B.A. MEETING OF: June 25, 2007

PROJECT: Mary Gayton ZBA # 07-32
P.B.# _____

P.B.# _____

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M)_____ S)_____ VOTE: A_____ N._____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M)____S)____ VOTE: A____N____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) LU S) LO VOTE: A 4 N 0

GANN	A
LUNDSTROM	A
LOCEY	A
TORPEY	A
LOCEY	

CARRIED: Y ✓ N

PUBLIC HEARING: **STATEMENT OF MAILING READ INTO MINUTES** _____
VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

GANN
LUNDSTROM
LOCEY
TORPEY
KANE

CARRIED: Y N

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#503-2007

07/06/2007

Gayton Jr., Thomas J.
114 Chestnut Dr.
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 07/06/2007. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA 07-32 Application Fee

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-22-07

FOR: ESCROW 07-32

FROM:
MARY GAYTON
114 Chestnut Drive
New Windsor, NY 12553

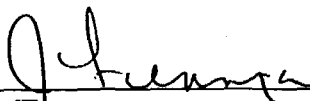
CHECK FROM:
SAME

CHECK NUMBER: 1931

TELEPHONE: 561-5862

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:


NAME _____ DATE 7-6-07

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

TOWN OF NEW WINNERS

REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: 06-26-07

DATE: **06-26-07**

PROJECT NUMBER: ZBA# 07-32 P.B. # _____

APPLICANT NAME: MARY GAYTON

PERSON TO NOTIFY TO PICK UP LIST:

MARY GAYTON

114 Chestnut Drive

New Windsor, NY 12553

TELEPHONE: 561-5862

TAX MAP NUMBER: SEC. 17 BLOCK 1 LOT 6
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 114 CHESTNUT DRIVE
NEW WINDSOR,

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET _____)

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT)

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

[illegible]

AMOUNT OF DEPOSIT: **25.00** CHECK NUMBER: **1933**

TOTAL CHARGES: _____



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

June 11, 2007
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. Owner Information:

e-mail address: meawed920@aol.com

Phone Number: (845) 561-5862

Fax Number: (845) 565-5640

Mary Edna Gayton
(Name)

114 Chestnut Dr. New Windsor, NY 12553
(Address)

II. Applicant:

e-mail address: _____

Phone Number: ()

Fax Number: ()

Same
(Name)

(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: 845 926-0834

Fax Number: ()

Mary Edna Gayton
(Name)

3 Cresthaven Dr. New Windsor, NY 12553
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ()

Fax Number: ()

(Name)

(Address)

V. Property Information:

Zone: R-4 Property Address in Question: 114 Chestnut Dr. New Windsor

Lot Size: 0.17 acre **Tax Map Number:** Section 17 Block 1 Lot 6

a. Is pending sale or lease subject to ZBA approval of this Application?

b. When was property purchased by present owner? October 7, 1997

c. Has property been subdivided previously? NO If so, When:

d. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO

******PLEASE NOTE:******

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	20'	9'6"	10'6"
Reqd. Rear Yd.	50'	26'	24'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The deck was built to enhance the home and is for the enjoyment of the homeowner. It is located behind a 6 foot high wooden privacy fence. It cannot be seen by anyone but the homeowner.

- 1. There is no undesirable change to the neighborhood.*
- 2. The benefit cannot be achieved any other way.*
- 3. It will not have an adverse effect to the neighborhood or district.*
- 4. The deck was built by the homeowner in the back yard.*

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

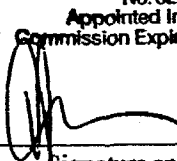
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

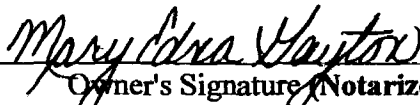
Sworn to before me this:

11 day of June 2007,

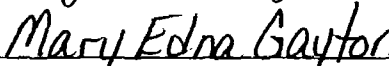
HARVEY C. KALLUS
Notary Public, State of New York
No. 02KA4957703
Appointed In Orange County
Commission Expires October 23, 2011



Signature and Stamp of Notary



Owner's Signature (Notarized)



Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT / SPONSOR <i>Mary Edna Gayton</i>	2. PROJECT NAME <i>Deck</i>
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>114 Chestnut Drive New Windsor, NY 12553</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration <i>Existing deck</i>	
6. DESCRIBE PROJECT BRIEFLY: <i>16x16 deck attached to back of house.</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>0.17</i> acres Ultimately <i>0.17</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>Area variance needed</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Mary Edna Gayton</i>	Date: <i>6/11/07</i>
Signature: <i>Mary Edna Gayton</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If No, a negative declaration may be superseded by another involved agency.</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality; surface or groundwater quality or quantity; noise levels; existing traffic patterns; solid waste production or disposal; potential for erosion, drainage or flooding problems? Explain briefly:</p> <p style="text-align: center; font-size: 1.2em;">NO</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p style="text-align: center; font-size: 1.2em;">NO</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p style="text-align: center; font-size: 1.2em;">NO</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p style="text-align: center; font-size: 1.2em;"><i>No close to property lines. & Area variance required.</i></p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p style="text-align: center; font-size: 1.2em;">NO</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p style="text-align: center; font-size: 1.2em;">NO</p> <p>C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p> <p style="text-align: center; font-size: 1.2em;">NO</p>	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly</p>	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination: <i>adds to home value + aesthetics</i></p>	
<p style="text-align: center;">Name of Lead Agency</p> <hr/>	
<p>Print or Type Name of Responsible Officer in Lead Agency</p> <hr/>	<p>Title of Responsible Officer</p> <hr/>
<p>Signature of Responsible Officer in Lead Agency</p> <hr/>	<p>Signature of Preparer (If different from responsible officer)</p> <hr/>
<p>Date</p> <hr/>	

COUNTY Orange
CITY/TOWN New Windsor
DISTRICT 3564
NUMBER
REGISTER 106
NUMBER

STATE OF NEW YORK
DEPARTMENT OF HEALTH
AFFIDAVIT, LICENSE and
CERTIFICATE OF
MARRIAGE

STATE FILE NUMBER
(THIS SPACE FOR STATE USE ONLY)

☐ SUPPLEMENTAL FILE

FROM THE GROOM

1. A. FULL NAME Thomas Gayton, Jr.
FIRST MIDDLE CURRENT SURNAME
B. BIRTH NAME, IF DIFFERENT
C. SURNAME AFTER MARRIAGE
(OPTIONAL - SEE REVERSE) Gayton
D. SOCIAL SECURITY NUMBER 100-38-3254
2. RESIDENCE A. NY B. Orange
(STATE) (COUNTY)
C. CHECK ONE AND SPECIFY ☐ CITY ☒ TOWN ☐ VILLAGE
New Windsor
D. STREET ADDRESS 114 Chestnut Drive ZIP 12553
E. IS RESIDENCE WITHIN LIMITS OF CITY OR INCORPORATED VILLAGE? ☐ YES ☒ NO
3. A. AGE 35 3B. DATE OF BIRTH 07 / 03 / 1968
MONTH DAY YEAR
4. EMPLOYMENT
A. USUAL OCCUPATION Investigator
B. TYPE OF INDUSTRY OR BUSINESS
5. PLACE OF BIRTH Oradell, N.J.
(CITY, STATE/COUNTRY IF NOT USA)
6. FATHER
A. NAME Thomas Gayton
B. COUNTRY OF BIRTH USA
7. MOTHER
A. MAIDEN NAME Colette Potter
B. COUNTRY OF BIRTH USA
8. NUMBER OF THIS MARRIAGE 1
9. PREVIOUS MARRIAGES
A. NUMBER OF PREVIOUS MARRIAGES WHICH ENDED BY
DIVORCE CIVIL ANNULLMENT DEATH
0 0 0
B. HOW DID LAST MARRIAGE END? (3) ☐ DIVORCE (3) ☐ ANNULMENT (2) ☐ DEATH
C. DATE LAST MARRIAGE ENDED? MONTH DAY YEAR
D. ARE ANY FORMER SPOUSE(S) ALIVE? ☐ YES ☒ NO
10. IF PREVIOUSLY DIVORCED OR ANNULLED, PROVIDE THE FOLLOWING INFORMATION
DATE OF DECREE PLACE ISSUED AGAINST WHOM
(MONTH, DAY, YEAR) (CITY, STATE/COUNTRY, IF NOT USA) SELF SPOUSE
1ST ☐ ☐
2ND ☐ ☐
3RD ☐ ☐
4TH ☐ ☐

FROM THE BRIDE

11. A. FULL NAME Mary Edna Pastino
FIRST MIDDLE CURRENT SURNAME
B. BIRTH NAME (MAIDEN NAME), IF DIFFERENT Kemper
C. SURNAME AFTER MARRIAGE Gayton
(OPTIONAL - SEE REVERSE)
D. SOCIAL SECURITY NUMBER 400-27-2888
12. RESIDENCE A. NY B. Orange
(STATE) (COUNTY)
C. CHECK ONE AND SPECIFY ☐ CITY ☒ TOWN ☐ VILLAGE
New Windsor
D. STREET ADDRESS 114 Chestnut Drive ZIP 12553
E. IS RESIDENCE WITHIN LIMITS OF CITY OR INCORPORATED VILLAGE? ☐ YES ☒ NO
13. A. AGE 34 13.B. DATE OF BIRTH 05 / 22 / 1961
MONTH DAY YEAR
14. EMPLOYMENT
A. USUAL OCCUPATION
B. TYPE OF INDUSTRY OR BUSINESS
15. PLACE OF BIRTH Fayetteville, N.C.
(CITY, STATE/COUNTRY IF NOT USA)
16. FATHER
A. NAME Douglas Kemper
B. COUNTRY OF BIRTH USA
17. MOTHER
A. MAIDEN NAME Mary Litterer
B. COUNTRY OF BIRTH USA
18. NUMBER OF THIS MARRIAGE 2
19. PREVIOUS MARRIAGES
A. NUMBER OF PREVIOUS MARRIAGES WHICH ENDED BY
DIVORCE CIVIL ANNULLMENT DEATH
1 0 0
B. HOW DID LAST MARRIAGE END? (3) ☒ DIVORCE (3) ☐ ANNULMENT (2) ☐ DEATH
C. DATE LAST MARRIAGE ENDED? MONTH DAY YEAR
08 / 06 / 2001
D. ARE ANY FORMER SPOUSE(S) ALIVE? ☐ YES ☒ NO
20. IF PREVIOUSLY DIVORCED OR ANNULLED, PROVIDE THE FOLLOWING INFORMATION
DATE OF DECREE PLACE ISSUED AGAINST WHOM
(MONTH, DAY, YEAR) (CITY, STATE/COUNTRY, IF NOT USA) SELF SPOUSE
1ST 08/06/2001 Goshen, N.Y. ☐ ☐
2ND ☐ ☐
3RD ☐ ☐
4TH ☐ ☐

I, being duly sworn, depose and say, that to the best of my knowledge and belief that the information I provided is true and that I declare that no legal impediment exists as to my right to enter into the marriage state.

21. SIGNATURE OF GROOM Thomas Gayton, Jr. 22. SIGNATURE OF BRIDE Mary Edna Pastino
DATE 08/22/2003

This license authorizes the marriage in New York State of the bride and groom named above by any person authorized by New York Domestic Relations Law §11 to perform marriage ceremonies within New York State. THIS LICENSE VALID IN NEW YORK STATE ONLY.
☐ If checked, this license is to be used only for the purpose of a second or subsequent ceremony.

24. TOWN OR CITY CLERK
NAME (PRINT) Deborah Green
SIGNATURE Deborah Green DATE 08/22/2003
MAILING ADDRESS 555 Union Avenue, New Windsor, NY 12553
STREET CITY/TOWN STATE ZIP

25. A. SOLEMNIZATION PERIOD BEGINS TIME MONTH DAY YEAR MONTH DAY YEAR
04:15 AM 08 23 2003 10 21 2003
25. B. SOLEMNIZATION PERIOD ENDS AT MIDNIGHT
26. SOLEMNIZATION OCCURRED TIME MO. DAY YEAR
3:00 PM 9 10 03
27. TYPE OF CEREMONY
☒ RELIGIOUS ☐ CIVIL
☐ OTHER, SPECIFY

28. PLACE WHERE MARRIAGE OCCURRED
A. STATE NEW YORK B. COUNTY Orange
C. LOCATION OF CEREMONY
(CHECK ONE AND SPECIFY)
☐ CITY OF ☐ TOWN OF ☒ VILLAGE OF
SPECIFY Cornwall-on-Hudson
29. OFFICIANT (NAME (PRINT) RAYMOND R. STRATHMAN TITLE PRIEST
SIGNATURE Raymond R. Strathman DATE 9/20/03
MAILING ADDRESS 340 Hudson St. Cornwall-on-Hudson N.Y. 12520
STREET CITY/TOWN STATE ZIP

30. WITNESS TO CEREMONY NAME (PRINT) Allison McGrath
31. WITNESS TO CEREMONY NAME (PRINT) Joseph McGrath

SPECIFY ADDRESS WHERE CERTIFICATE OF MARRIAGE REGISTRATION SHOULD BE SENT

ZIP

STREET AND NUMBER

STATE

CITY/TOWN/VILLAGE

AFFIDAVIT

LICENSE

CERTIFICATE

NOTE: OFFICIANT MUST RETURN LICENSE TO ISSUING CLERK WITHIN 15 DAYS OF SOLEMNIZATION